

P 031230Z FEB 09
FM AMEMBASSY HELSINKI
TO SECSTATE WASHDC PRIORITY 4787

C O N F I D E N T I A L HELSINKI 000039

STATE FOR EUR, CA/P/IP, CA/VO, L/CA, EUR/NB

C O R R E C T E D COPY (CHANGING SUBJECT LINE
AND TEXT TORD AS SHOWN)

E.O. 12958: DECL: 2 FEB 2019
TAGS: [CVIS](#) [ASEC](#) [PREL](#) [KHLS](#) [PTER](#) [PGOV](#) [PREL](#) [FI](#)
SUBJECT: HSPD - 6 FURTHER DISCUSSIONS WITH FINLAND

REF: (A) STATE 095086 (B) HELSINKI 430

CLASSIFIED BY CHARGE MICHAEL BUTLER REASON: 1.5b

11. (C) Summary: On January 26, 2009, Charge, POL chief and Consul met with Ministry of the Interior State Secretary Antti Peltari, who wanted to follow up on an earlier meeting with the Embassy when he received model language for an HSPD-6 agreement. (REF B) (Peltari has been promoted from Director General to State Secretary since our initial meeting.) Peltari stated that any agreement related to HSPD-6 will have to be ratified by the Finnish Parliament because of strict limitations on the exchange of personal data contained in the Finnish Constitution. Pointing to prior difficulties between the government and Parliament on the question of data privacy, Peltari warned that an HSPD-6 agreement could be the subject of very public parliamentary debate and might not be ratified. He also expressed his government's satisfaction with current data sharing with the U.S. Charge inquired if a less formal agreement would be possible without Parliamentary ratification, and offered to supply additional language for the Finns to consider. Peltari said the government would consider additional language, but doubted seriously that a less formal agreement would avoid the need for Parliamentary approval. He did not commit to the visit of a Washington-based team at this time. End Summary.

12. (C) At the start of the discussion, Charge reemphasized to Peltari that the exchange of terrorist screening information (TSI) between Finland the US will enhance our mutual security while also meeting the legal requirement for such exchanges for current VWP countries. Peltari stated that the government, including the National Police, is quite satisfied with ongoing data sharing. Consul asked for Peltari's view on using the TSDB system as an added tool for protecting their borders as there is currently no consolidated national Finnish database containing information on individuals who may support, facilitate or engage in terrorist activities. Peltari reiterated that existing mechanisms work well.

13. (C) Peltari stated that various ministries examined the draft language provided in the September meeting. The government's position is that an agreement such as one required by HSPD-6 would need parliamentary approval. According to Peltari, the Finnish Constitution places strict conditions on the handling and exchange of personal data. Peltari said that if the U.S. and Finland agree to pursue an HSPD-6 Treaty, they would encounter sensitivities within the Parliament regarding privacy and data sharing, and dissatisfaction with how the government has engaged the Parliament on this matter in the past. He warned that taking this route has political ramifications that could lead to non-ratification.

14. (C) Charge emphasized that the U.S. is flexible regarding the type of arrangement between the two countries and asked whether a less formal one such as an aide-memoire might avoid the need for a treaty. Peltari indicated that as long as personal data is exchanged, the Constitutional conditions would apply. However, he expressed a

willingness to examine additional language provided by the Embassy, drawn from existing agreements with other (unnamed) VWP countries. Consul stated that the actual agreements that have already been reached are similar to the sample copies already distributed but that he would check with Washington to see if country specific information could be blocked out.

¶5. (C) Charge suggested that having a team visit from the U.S. would be helpful to explore these questions. Peltari agreed that a visit might be useful, but preferred that his government receive and examine additional language first.

¶6. (C)Comment. The major impediment here is not policy-based but legal. It will be an uphill battle to get this approved due to legal and political challenges. We detect in Peltari a concern about a public debate in Parliament regarding a particular form of data sharing that will highlight broader ongoing cooperation. We will provide additional language to Peltari and pursue how Constitutional requirements might be satisfied without parliamentary approval.

BUTLER